



DEC 10 2012

The Honorable Benigno Fitial
Governor of the Commonwealth
of the Northern Mariana Islands
Caller Box 10007
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

This letter provides approval of the Commonwealth of the Northern Mariana Islands' Integrated Workforce Plan for Title I of the Workforce Investment Act (WIA). The Employment and Training Administration (ETA) received the Commonwealth's State Plan on September 11, 2012. This letter also responds to the Commonwealth's WIA waiver requests.

Training and Employment Guidance Letter (TEGL) No. 21-11, issued on March 27, 2012, and TEGL No. 21-11, Change 1 issued on August 8, 2012, provide guidance for states to submit their State Workforce Plans and waivers for Program Year (PY) 2012 and beyond. We appreciate the Commonwealth's responsiveness to this guidance.

Plan Review and Approval

ETA has reviewed the Commonwealth's State Integrated Workforce Plan in accordance with Title I of WIA, the corresponding regulations, the State Integrated Workforce Plan Requirements for Workforce Investment Act Title I/Wagner-Peyser Act and Department of Labor Workforce Programs (<http://www.doleta.gov/usworkforce/wia-planning/docs/integrated-planning-guidance.pdf>), and TEGL No. 21-11 and the corresponding Change 1. Pursuant to 20 CFR 661.230(e), this letter constitutes a written determination under WIA Section 112 (29 USC 2822) that ETA is approving the WIA Title I portion of the Commonwealth's State Plan for the period July 1, 2012 through June 30, 2017, PY 2012-PY 2016.

The Commonwealth is eligible to receive WIA formula allotments for Adult, Dislocated Worker, and Youth programs effective July 1, 2012 through June 30, 2017.

Performance Levels

Each year, the Regional Administrator negotiates the Program Year's WIA performance goals with each state and territory. As required by TEGL Nos. 21-11 and 38-11 dated June 18, 2012, negotiations must be completed by December 31, 2012 for PY 2012. Once the final goals are established, the Regional Administrator's letter advising the Commonwealth of the PY 2012

WIA final performance goals constitutes a modification to the Plan. ETA will incorporate the Commonwealth's final performance goals for PY 2012 into the Regional and National Office copies of the Integrated Workforce Plan. Please include these final PY 2012 goals in the Commonwealth's official copy of the Plan.

Waiver

As part of the Integrated Workforce Plan, the Commonwealth submitted a waiver request for a waiver of statutory and regulatory requirements under WIA (copy enclosed). The Commonwealth's request for a waiver is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c). The disposition of the request is outlined below. This action is taken under the Secretary's authority at WIA Section 189(i) to waive certain requirements of WIA Title I, Subtitles B and E, and Sections 8-10 of the Wagner-Peyser Act.

Waiver of WIA Section 133(b)(4) to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to a local area.

The Commonwealth is granted a waiver to permit an increase in the amount a state is allowed to transfer between the Adult and Dislocated Worker funding streams. The Commonwealth is granted this waiver through June 30, 2017. Under the waiver, transfer authority is limited to 50 percent. This limitation provides states flexibility while ensuring consistency with Congressional intent regarding the level of funding appropriated for the WIA Adult and Dislocated Worker programs.

The approved waiver is incorporated by reference into the WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and is incorporated into the Commonwealth Integrated Workforce Plan. A copy of this letter should be filed with the WIA Grant Agreement and with the approved State Plan. In addition, as described in TEGL No. 29-11, the Commonwealth should address the impact this waiver has had on performance in the WIA annual performance report, due on October 1 of each year.

We look forward to working together as you implement your Integrated Workforce Plan for PY 2012 and beyond. Thank you for co-branding as a proud partner of the American Job Center network; we are available to provide technical assistance as needed. If you have any questions related to the issues discussed above, please contact John Jacobs the Federal Project Officer for the Commonwealth, at 415-625-7940 or Jacobs.John@dol.gov.

Sincerely,



Jane Oates
Assistant Secretary

Enclosures

cc: Virginia Hamilton, Regional Administrator, ETA San Francisco Regional Office
John Jacobs, Federal Project Officer for CNMI

To: Thompson, Kevin - ETA
Subject: FW: State Plan Issue

Below is the NMI hyperlink to access their state plan documents. I will place this information in the

From: Edith Deleon Guerrero [mailto:edithdeleon.guerrero@gmail.com]
Sent: Monday, September 17, 2012 1:33 PM
To: Jacobs, John - ETA
Subject: Re: State Plan Issue

It's 6:30 a.m. here. Try this www.wia.gov.mp to access the documents. I will provide pdf as supporting attachments as well. Attachment B is forthcoming with Governor's signature.

On Tue, Sep 18, 2012 at 4:23 AM, Jacobs, John - ETA <Jacobs.John@dol.gov> wrote:
Edith, CNMI's hyperlinks do not work. You will need to provide us with a word or accessible pdf copy where we can access the information hyperlinked. Please respond asp.

CNMI Statewide Investment Board
Workforce Investment Act of 1998

WAIVER REQUEST

PY 2012 AND SUBSEQUENT YEARS

A. Statutory or Regulatory Requirements to be Waived

The CNMI State respectfully requests to increase the statutory Governor's transfer authority between the adult and dislocated worker programs as described at WIA section 133 (b) (4) and Title 20 of the Code of Federal Regulations Section 667.140, from 30% to 100%.

B. Goals of the Waiver and Expected Programmatic Outcomes if Waiver is Granted

The CNMI State consistently sees an increase of adults seeking WIA services who are not dislocated and does not meet the statutory definition to be considered an eligible dislocated worker participant,. The approval of this request will provide the CNMI State jurisdiction the much needed adult funds and flexibility to provide subsidized employment and training services to these individuals who are also identified as within the target populations. The granting of this waiver request will allow the CNMI State to expand its intensive and training services to these adult population that will lead to recognized skills and training credentials empowering the individuals to compete for employment that will pave the way to meaningful employment and individual self sufficiency.

C. State Regulatory Barriers

There is no State statutory or regulatory barrier to the implementation of the proposed waiver.

D. Description of Individuals Impacted by the Waiver

Individuals that will be positively impacted by this waiver request are those identified within the target populations such as but not limited to adults with multiple barriers, disconnected and disadvantaged older youths, disabled veterans, ex-offenders, homeless, older persons, persons with disabilities, persons in need of ESL services and individuals who may be illiterate or have basic skills deficiencies. individuals under the food stamp program, veterans and certain spouses, and older youth(s) who are being adjudicated. Many if not all of these individuals within the target populations are seeking services to develop and enhance their education and skills that will lift them out of their current poverty conditions and make them more competitive for employment opportunities in demand driven careers that will provide a more promising and sustainable future. Many of these individuals do not possess the necessary education and work readiness skills that is needed to prepare them to compete for employment opportunities. Retooling them with the necessary skills to compete for employment will only provide them the opportunity to have a better life and become self sufficient. Unlike the dislocations throughout the United States, the CNMI does not experience mass displacement/dislocation of resident and/or US workers that can benefit from the dislocated worker funding program. Reduced hours or downsizing of business operations mainly affect foreign workers who are holding CW visas. However, the CNMI does possess a greater number of the adult population that can benefit from this waiver request. Though

the previous CNMI waiver for PY09/FY10 at 50% between adult and dislocated worker funding program proved beneficial to the adult population however it is still considered insufficient. The CNMI at the closing of its books for PY09/FY10 which expired June 30, 2012 had no other option but to return the amount of \$90K+ due to the waiver transfer restriction of up to 50% only between the adult and dislocated worker funding programs. As a result, the CNMI State expresses its desire to fully utilize the waiver opportunity for the Governor's transfer authority between the adult and dislocated worker funding programs so that it will be able to serve more of the adult services seeking population of the CNMI's workforce. The unutilized \$90K+ from the dislocated worker funding program could have benefited numerous adult WIA registrants and with this the CNMI is seeking approval on this waiver from 30% to 100% Governor transfer authority between the adult funding program and dislocated worker funding program.

E. Opportunity for Public Comment and the Process for Monitoring Implementation of the Waiver

Public comment opportunity will be provided and compliant for 45 days. Comments received will be reviewed, documented and considered to ensure that the waiver requested is carefully implemented and administered accordingly under the guiding waiver provisions and for its intended target populations. The CNMI State's Workforce Investment Agency under the Executive Branch of government is the administrative entity entrusted with WIA Title I activities with oversight and monitoring responsibilities as established in its State Administrative Policies and Procedures in unison with the CNMI Statewide Investment Board.